REMARKS

Claims 1-23 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 2-3, 5-7, 10, 12-14, 17, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Iizuka (U.S. Pat. No. 4,107,921) in view of Asada et al. (U.S. Pat. No. 5,562,086). This rejection is respectfully traversed.

With regard to claim 2, Iizuka fails to show, teach, or suggest a controller that **calculates** a reference pressure window based on an engine speed signal, that transitions an engine from an activated mode to a deactivated mode when an intake manifold vacuum signal is greater than an upper limit of the reference pressure window, and that transitions the engine from the deactivated mode to the activated mode when the intake manifold vacuum is lower than a lower limit of the reference pressure window

As best understood by Applicants, Iikuza discloses a internal combustion engine that includes a controller that deactivates cylinders when a load on the engine is diminished and that activates cylinders when the load increases. The controller determines when to activate and deactivate the cylinders based vehicle speed and intake manifold vacuum (see Figure 3). More specifically, the controller deactivates cylinders when the intake manifold vacuum is below a first predetermined threshold (t1)

and activates the cylinder when the vacuum pressure exceeds a second predetermined threshold (t2).

Applicants can find no mention of a controller that **calculates** a reference pressure window (with an upper and lower threshold) based on an engine speed signal as recited in claim 2.

Asada et al. fail to cure the deficient teachings of Iizuka. As best understood by Applicants, Asada et al. disclose a control device for an engine having cylinders divided into two cylinder groups. The first cylinder group is associated with a first throttle valve and a first recirculation valve. The second cylinder group is associated with a second throttle valve and a second recirculation valve. When the engine transitions from full cylinder operation to partial cylinder operation the first throttle valve is gradually opened and the second throttle valve is gradually closed.

Applicants can find no mention of a controller that **calculates** a reference pressure window (with an upper and lower threshold) based on an engine speed signal as recited in claim 2. Thus, reconsideration and withdrawal of the rejection of claim 2 is respectfully requested.

Claims 10, 12, and 23 are allowable for at least similar reasons. Therefore, reconsideration and withdrawal of the rejections is respectfully requested.

Claims 3-9, 11, and 13-22 each ultimately depend on claims 2, 10, and 12 and are allowable for at least similar reasons.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 4, 8-9, 11, 15-16, and 18-22 would be allowable if rewritten in independent form. Applicants have presently refrained from rewriting claims 8-9, 18-19, and 27-28 in view of the discussion above. Applicants reserve the right to amend claims 8-9, 18-19, and 27-28 into their originally allowable form at a later date if needed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: March 9, 2006

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